



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

October 26, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Doug Rosenkrance
Water District 34
PO Box 53
Mackay, ID 83251

RE: Possible unauthorized groundwater diversions

Dear Doug Rosenkrance:

During the past four years, the Idaho Department of Water Resources has assisted Water District 34 with estimating ground water diversions using power consumption records. Due to this work, the department has discovered several potential unauthorized ground water diversions in the water district. The department is notifying you of these diversions so that you may take appropriate action.

The first diversion, located within 05N 26E 04 NESESW, is a 20-hp submersible well pump. It is tagged A0007509, and designated by the electric utility as Coop #607. It is used to irrigate land in the SESW and possibly SWSW quarter-quarters of section 4, which is southwest of the well. Apparently, it has also been used to irrigate land in the SE quarter of section 4. Energy records indicate the well was used in 1996 and 1997. Jerald and Wanda Beverland and/or Pam Jensen may own the well, and it appears there are valid surface water rights for the land (34-00875B, Beverland; 34-00875A, Jensen). Both Beverland and Jensen applied for permits to divert ground water (34-07510, 34-07530), but the permits are being held due to the moratorium. Unless and until the applications are approved or other valid rights are obtained, the well must not be used for irrigation.

The second diversion, located within 06N 26E 8 SWSWNW, is a 60-horsepower pump which appears to draw from a well. There is also a 125-horsepower surface water pump on the same power supply, Coop #274. Energy records indicate Leon Williams is responsible for this account. Both pumps divert into the same pressurized sprinkler system. The site is tagged A0007529. I am unable to find any valid water rights authorizing diversion of groundwater from this location, or for use on the nearby lands. Since both pumps are connected to one power supply, energy records cannot be used to demonstrate non-operation of the well pump. Perhaps the well pump should be disconnected from the power supply, and possibly even remove the motor, to ensure this well is not used to divert water until valid rights are obtained to do so.

Two other diversions are located within 03N 26E 12 NWNW. The smaller well has a 25-horsepower pump, is tagged A0003602, and is served by Coop #704. The larger is a 75-horsepower pump, tagged A0003601, and is served by Coop #705. Energy records indicate both were used in 1995 and 1996, but not used in 1997. The energy account is in Willard Bell's name. Again, I am unable to find any valid water rights authorizing diversion of water from these wells.

Please notify these well owners that diversions must cease until valid rights to divert water are obtained. Unauthorized diversion should be regulated by the Water District. The department may levy penalties of \$300 per irrigated acre for illegal diversions of water. If these findings are in error and diversions are authorized by valid rights, please notify me as soon as possible. If you or any of these parties have questions regarding this matter, please let me know. I can be reached by mail at the above address or by phone at (208) 327-7897.

Sincerely,

Scott King

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